

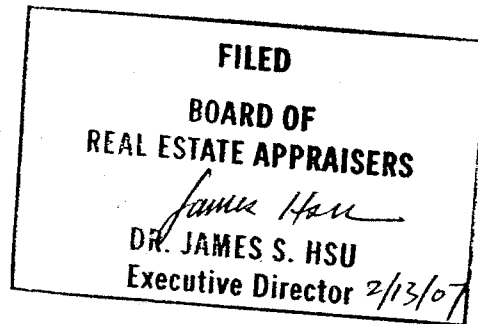
STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF REAL ESTATE APPRAISERS

IN THE MATTER OF THE
SUSPENSION OR REVOCATION OF
THE LICENSE OR CERTIFICATION
OF

ROBERTA HACK
RC00109000

TO PRACTICE AS A REAL ESTATE
APPRAISER IN THE STATE
OF NEW JERSEY

CERTIFIED TRUE COPY



Administrative Action

FINAL ORDER
OF DISCIPLINE

COPY

This matter was opened to the New Jersey State Board of Real Estate Appraisers ("the Board") upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Respondent is a real estate appraiser in the State of New Jersey, and has been a licensee at all times relevant hereto.
2. On or about March 24, 2006, pursuant to N.J.S.A. 45:1-18, the Board conducted a random audit of a group of its licensees, asking them to submit proof with regard to the satisfaction of continuing education requirements for the 2004-2005 renewal period, i.e., twenty eight (28) approved credit hours; or for those licensed or certified in the first six months of 2005, fourteen (14) credit hours.
3. Respondent was among those appraisers asked to submit proof of satisfaction of continuing education requirements.
4. A letter dated March 24, 2006 was issued to respondent, asking for proof of satisfaction of her continuing education requirements. The letter was sent by regular mail

to respondent's address of record at 21 Fowler Drive, West Orange, NJ 07052-2149. No response was received. The mailing was not returned.

5. A second communication was sent on or about June 16, 2006 to respondent at her address of record by certified mail. The certified mail was signed for. No response was received by respondent until after the issuance of the provisional order of discipline.

CONCLUSIONS OF LAW

1. Respondent's failure to respond to the Board's request for information constitutes a failure to cooperate with a Board investigation pursuant to N.J.A.C. 13:45C-1.2, -1.3, subjecting respondent to sanctions pursuant to N.J.S.A. 45:1-21(e).

DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on September 12, 2006, provisionally suspending respondent's license until she replied to the Board's previous request for information, and imposing a civil penalty in the amount of \$1,000.00 for respondent's violation of N.J.A.C. 13:45C-1.2, -1.3. A copy of the Order was forwarded to respondent by certified and regular mail at her address of record. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefore.

Respondent replied to the Provisional Order, furnishing documentation with regard to her continuing education obligation, and asking for consideration in two separate written submissions. In both submissions, respondent indicated it was not her intention to disregard or not cooperate with the Board's request for information. Respondent stated she

did not comply because of shame associated with not finding the records to prove that the courses were taken. Respondent also indicated she hoped the problem would "go away."

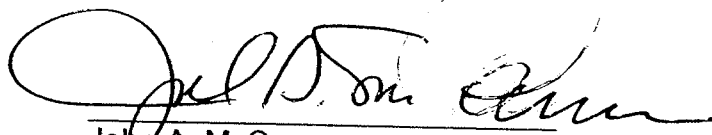
Respondent's submissions were reviewed by the Board during the January 9, 2007 meeting. The Board determined that further proceedings were not necessary and that no material discrepancies had been raised. The Board was not persuaded that the submitted materials merited further consideration, inasmuch as respondent did not dispute the Findings of Fact and Conclusions of Law. The Board determined that the Provisional Order should be made final.

ACCORDINGLY, IT IS on this 13th day of February 2007,

ORDERED that:

1. Inasmuch as respondent has now responded to the continuing education audit, no suspension is imposed.
2. A civil penalty in the amount of \$1000 is hereby imposed upon respondent for the violation of N.J.S.A. 45:1-21(e).
3. Any disciplinary action taken with respect to the within Order shall be considered to apply only to the issue of respondent's failure to cooperate with the Board, and is separate and apart from the issue of whether respondent has complied with her continuing education obligation.

NEW JERSEY STATE BOARD
OF REAL ESTATE APPRAISERS



John A. McCann
President